

**The Applied References Do Not Disclose or Suggest
the Features and Relationships Recited in Applicants' Claims**

Before a claim may be rejected on the basis of obviousness pursuant to 35 U.S.C. § 103, the Patent Office bears the burden of establishing that all the recited features of the claim are known in the prior art. This is known as *prima facie* obviousness. To establish *prima facie* obviousness, it must be shown that all the elements and relationships recited in the claim are known in the prior art. If the Office does not produce a *prima facie* case, then the Applicants are under no obligation to submit evidence of non-obviousness. MPEP § 2142.

The teaching, suggestion, or motivation to combine the features in prior art references must be clearly and particularly identified in such prior art to support a rejection on the basis of obviousness. It is not sufficient to offer a broad range of sources and make conclusory statements. *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

Even if all of the features recited in the claim are known in the prior art, it is still not proper to reject a claim on the basis of obviousness unless there is a specific teaching, suggestion, or motivation in the prior art to produce the claimed combination. *Panduit Corp. v. Denison Mfg. Co.*, 810 F.2d 1561, 1568, 1 USPQ2d 1593 (Fed. Cir. 1987). *In re Newell*, 891 F.2d 899, 901, 902, 13 USPQ2d 1248, 1250 (Fed. Cir. 1989).

The evidence of record must teach or suggest the recited features. An assertion of basic knowledge and common sense not based on any evidence in the record lacks substantial evidence support. *In re Zurko*, 258 F.3d 1379, 59 USPQ2d 1693 (Fed. Cir. 2001).

It is respectfully submitted that the Action does not meet these burdens.

**The Pending Claims Are Not Obvious Over
'419 in view of FRONTPAGE**

In the Action claims 5-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '419 reference in view of the FRONTPAGE reference. These rejections are respectfully traversed. Applicants response to these rejections is based on the Office's referenced interpretation of these references. Thus, any change in the Office's interpretation of the '419 reference in view of the FRONTPAGE reference shall constitute a new ground of rejection.

In the Action, the Examiner cites the '419 reference as disclosing a "system and method of implementing a security policy" and "an access control mechanism". The '419 reference describes "access control lists" (ACLs) that are used in firewalls that enforce security policies on communication traffic entering and leaving an internal network (col. 1, ll. 21-33). The reference describes the definition of "regions" which are said to be "a new and flexible way of organizing systems" (col. 3, ll. 16-30). A firewall protects regions from unauthorized access through the use of access control lists. The ACLs are said to be the "heart and soul" of firewalls. ACLs are created using decision trees that include nodes that may evaluate to true or false, and "filter" nodes that attempt to apply a condition to a connection (col. 3, ll. 47-67, col. 4, ll. 46-67).

This approach to defining firewall protection for defined regions in a computer network differs from the computer security service recited in claims 5-11. For example independent claim 5 recites access policies which are defined for users, services and resources. These recited access policies therefore go beyond the control over connections to regions in networks that is disclosed in the '419 reference. In the '419 reference, a single "system administrator" defines the firewall ACLs (col. 20, ll. 30-41). There is no suggestion or requirement in the firewall-definition system of the '419 reference that a mechanism is provided for others to manage or

define the ACLs. In contrast, claim 5 recites one or more policy managers using a "policy builder component" for "defining access policies for the computer network users, services and resources". Claim 5 recites distinctly different access policies (i.e. relating to users, services and resources, not merely connections to regions protected by firewalls).

Further, claim 5 recites in addition to the policy builder component usable by policy managers, a delegated administration component whereby users may, themselves, define access policies. The Examiner references the disclosure of a graphical user interface in the '419 reference, but the '419 reference does not disclose or suggest the delegated use of such an interface by users, as opposed to policy managers who make use of a policy builder component. The recited feature of delegation recited in claim 5 is not suggested nor necessary in the system described in the '419 reference.

In addition, the web-based feature of the delegated administration is not taught or suggested in the FRONTPAGE reference as alleged in the Action. The FRONTPAGE reference discloses a system used for the creation of web sites. The FRONTPAGE reference discloses the system itself providing different levels of access so that different users can access the defined webs in different ways. The FRONTPAGE reference does not teach or suggest a manner of delegating access policy definition by the use of a web-based component. Further, there is no motivation to combine the '419 reference that teaches a GUI for the definition of firewall ACLs with the FRONTPAGE reference that allows a non-technical user to define characteristics for a website, including administrative and user access rights. Even if the two references are combined, they do not teach the feature of delegating authority for access policy definition from a policy manager to a user level, as is recited in claim 5 of this Application.

For the above reasons, it is submitted that claim 5 and claims 6-11 which depend therefrom are not obvious in view of the '419 reference and the FrontPage reference and claims 5-11 are allowable on this basis.

It is also noted that the selective enablement of users in a delegated administration definition component (as recited in claim 8) is nowhere suggested or taught in the '419 reference or the FRONTPAGE reference. As the cited references do not disclose or suggest administrative delegation, it follows that the selective delegation (allowing for example, a trusted administrator at a customer to define access policies for other employees) is not disclosed as well. Further, the use of a display grid as recited in claims 9 and 10 and the recited nodes in the grid are not disclosed nor suggested in the '419 reference or the FRONTPAGE reference. Also, the decision tree concept in the '419 reference does not disclose or suggest the two-axis arrangement recited in claims 9 and 10. Nor does the decision tree concept disclose or suggest the position of each node relative the axis, as recited in claims 9 and 10.

For the above reasons, it is respectfully submitted that claims 8-11 are not obvious in view of the applied references and are allowable on this basis as well.

Additional Claim Fees

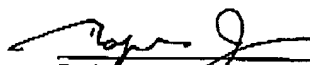
For any other fees due associated with the prosecution of this Application, please charge Deposit Account No. 10-0637 of Walker & Jocke.

Conclusion

Each of Applicants' pending claims specifically recites features and relationships that are neither disclosed nor suggested in any of the applied art. Furthermore, the applied art is devoid of any such teaching, suggestion, or motivation for combining features of the applied art so as to produce Applicants' invention. Allowance of all of Applicants' pending claims is therefore respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Examiner's convenience.

Respectfully submitted,



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